

**PATENT**  
Attorney Docket No. DEL 03-6-2

**COMBINED DECLARATION AND POWER OF ATTORNEY  
IN A NONPROVISIONAL PATENT APPLICATION**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; that I believe that I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**OPTICAL PROXIMITY DEVICE FOR POWER TOOLS**

described and claimed in the specification as filed on \_\_\_\_\_ as U.S. Serial No. \_\_\_\_\_, via United States Postal Service Express Mail Label No. EV 380 207 101 US.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37, C.F.R. §1.56(a).

**CLAIM FOR BENEFIT OF EARLIER U.S.  
APPLICATIONS UNDER 35 U.S.C. §120**

I hereby claim the benefit under 35 U.S.C. §120 of any United States applications that are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in those prior applications in the manner provided by the first paragraph of 35, U.S.C. §112, we acknowledge the duty to disclose information that is material as defined 37 C.F.R. §1.56(a), which occurred between the filing date of the prior applications and the filing date of this application.

<u>USSN</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Status</u>
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**CLAIM FOR BENEFIT OF EARLIER  
APPLICATIONS UNDER 35 U.S.C. §119(e)**

I hereby claim priority benefits under 35 U.S.C. §119(e), of any applications for patent or inventor's certificate listed below:

<u>USPSN</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Status</u>
60/453,299	3/10/2004	Smith, et al.	Pending

**CLAIM FOR BENEFIT OF EARLIER PCT  
APPLICATIONS UNDER 35 U.S.C. §119**

I hereby claim foreign priority benefits under 35 U.S.C. §119, of any foreign applications for patent or inventor's certificate listed below:

<u>PCT Application No.</u>	<u>Filing Date</u>
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I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business with the Patent and Trademark Office connected therewith:

Sean Patrick Suiter, Reg. No.: 34,260  
Kevin E. West, Reg. No.: 43,983  
Chad W. Swantz, Reg. No. 46,329  
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## **DECLARATION**

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The Attorney of Record herein is hereby authorized to insert the Serial Number and filing date when received from the United States Patent and Trademark Office.

Dated: \_\_\_\_\_

---

**Matthew A. Smith**  
162 Weatheridge Drive  
Jackson, TN 38305  
A Citizen of United States

**DECLARATION**

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The Attorney of Record herein is hereby authorized to insert the Serial Number and filing date when received from the United States Patent and Trademark Office.

Dated: \_\_\_\_\_

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**David V. Keller**  
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A Citizen of United States

**DECLARATION**

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The Attorney of Record herein is hereby authorized to insert the Serial Number and filing date when received from the United States Patent and Trademark Office.

Dated: \_\_\_\_\_

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**Jaime E. Garcia**  
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A Citizen of United States

**DECLARATION**

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The Attorney of Record herein is hereby authorized to insert the Serial Number and filing date when received from the United States Patent and Trademark Office.

Dated: \_\_\_\_\_

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